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FILED

4/27/2018

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

APR 23 2018

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

LACEVON MANNING

YVONNE MANNING

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

1:18-cv-02855

Judge: Elaine E. Bucklo

Magistrate Judge: Daniel G. Martin

vs.

(
(To be supplied by the Clerk of this Court)

US BANK

MANLEY DEAS KOCHALSKI LLC

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

X

**COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)**

**COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)**

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: LACEYON MANNING YVONNE MANNING
- B. List all aliases: _____
- C. Prisoner identification number: _____
- D. Place of present confinement: _____
- E. Address: 9941 S. BEVERLY AVE CHICAGO, IL 60643

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: U.S. BANK
Title: _____
Place of Employment: _____
- B. Defendant: MANLEY DEAS KOCHALSKI LLC
Title: _____
Place of Employment: _____
- C. Defendant: _____
Title: _____
Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: _____

- B. Approximate date of filing lawsuit: _____
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: _____

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): _____
- F. Name of judge to whom case was assigned: _____

- G. Basic claim made: _____

- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): _____

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

* See Attached

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

* See Attached

On or about 10/30/2017 plaintiffs home was up for sheriff sale. On or about 10/27/2017 plaintiff filed for protection under chapter 13 bankruptcy. Plaintiff included in her bankruptcy property located at 9941 south Beverly Ave. Chicago, IL 60643. Plaintiff faxed the Defendants a copy of the bankruptcy filing on 10/27/2017. However the defendant instead of honoring the automatic stay, defendants willfully failed to adhere to the bankruptcy code 11 USC 362 automatic stay.

362 states: Except as provided in subsection (b) of this section, a petition filed under section 301,302, or 303 of this title, or an application filed under section 5(a)(3) of the Securities Investor Protection Act of 1970, operates as a stay, applicable to all entities, of

- (1) The commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title;
- (2) The enforcement , against the debtor or against property of the estate, of a judgment obtained before the commencement of the case under this title;
- (3) Any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate;
- (4) Any act to create, perfect, or enforce any lien against property of the estate;
- (5) Any act to create, perfect, or enforce against property of the debtor any lien to the extent that such lien secures a claim that arose before the commencement of the case under this title;
- (6) Any act to collect, assess, or recover a claim against the debtor that arose before commencement of the case under this title.

CAUSE OF ACTION

- 1) Plaintiff's right to due process and equal protection by the laws was violated when the Defendants acted with willful conduct when they failed to honor the automatic stay.
- 2) Defendant's actions were a violation of 11 USC 362 of the bankruptcy code.
- 3) Defendant's actions were a violation of the Fair Debt Collection Act.

- 4) Defendants were negligent in failing to follow the bankruptcy code procedures under 11 USC 362.
- 5) Defendant's action was meant to harass plaintiff and to take advantage or gain an advantage over plaintiff.
- 6) Defendant's action has caused Plaintiff mental and emotional distress. Plaintiff was in the process of a modification so she could keep her property.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Plaintiff seeks to "RESCIND the Sale" of the Property
at 9941 South Beverly Ave. Chicago, IL 60643 under 11 USC
362 Under the Bankruptcy Code. Violation. Seeks Violation of
Due Process and Equal Protection of the Law. As a result
seeks \$300,000 FOR EMOTIONAL DISTRESS and HARRASSMENT
ALSO Punitive Damages in the Amount of \$100,000

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 23RD day of April, 20 18


(Signature of plaintiff or plaintiffs)

Lacey C. Manning and Yvonne Manning
(Print name)

(I.D. Number)

(Address)